

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
DR. DELOIS BLAKELY, BISHOP SHIRLEY
PITTS, MS. MARGARET CALLENDER

Plaintiff(s)

**DEFENDANTS'
DECLARATION**

Vs.

07 CV 3951 (DC)

NEW YORK CITY CORPORATION COUNSEL,
MICHAEL A. CORDOZO; NEW YORK CITY
CORPORATION ASSISTANT COUNSEL,
LESLIE SPITALNICK; 100 CHURCH STREET,
NY, NY 10007; MARTHA E. STARK, NY CITY
COMMISSIONER OF FINANCE, 66 JOHN
STREET, 3RD FLOOR, NEW YORK, NY 10038;
SHAUN DONOVAN, NY CITY HPD
COMMISSIONER THE CITY OF NEW YORK
DEPARTMENT OF HOUSING PRESERVATION
& DEVELOPMENT HPD, 100 GOLD STREET,
ROOM 1R, NEW YORK, NY 10038; MYRIAM
ELLIS, IN HER OFFICIAL CAPACITY AS HPD
REPRESENTATIVE, 100 GOLD STREET, ROOM
1R, NEW YORK, NY 10038; MARK MATTHEW,
100 GOLD STREET, ROOM 1R, NEW YORK, NY
10038

Defendant(s)

-----X
CHRISTINA L. HOGGAN, declares under penalty of perjury, pursuant to 28
U.S.C. §1746, as follows:

1. I am an Assistant Corporation Counsel in the office of Michael A. Cardozo, Corporation Counsel of the City of New York, attorney for Defendants MICHAEL A. CORDOZO, Corporation Counsel of the City of New York; LESLIE SPITALNICK, Assistant Corporation Counsel of the City of New York; MARTHA E. STARK, Commissioner of the New York City Department of Finance ("DOF"); SHAUN DONOVAN, Commissioner of the New York City Department of Housing Preservation and Development ("HPD"); MYRIAM ELLIS,

in her official capacity as an HPD employee; and MARK MATTHEW, in his official capacity as an HPD employee. I submit this declaration in support of the Defendants' motion to dismiss pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure.

2. Pro Se Plaintiffs commenced this action by Summons and Complaint dated September 27, 2005. A true and accurate copy of the Complaint is annexed hereto as Exhibit "M."

3. A true and accurate copy of the relevant pages of the List of Delinquent Taxes regarding the subject premises is annexed hereto as Exhibit "A."

4. A true and accurate copy of the DOF website showing the amount of taxes owed on the subject premises as of September 21, 2006 is annexed hereto as Exhibit "B."

5. A true and accurate copy of HDFC's Answer in In Rem Tax Foreclosure Action No. 46, Borough of Manhattan, Index No. 580001/04 (Solomon, J.) ("Manhattan 46") is annexed hereto as Exhibit "C."

6. A true and accurate copy of the City's Motion for Summary Judgment in Manhattan 46 is annexed hereto as Exhibit "D."

7. A true and accurate copy of Ms. Pitts' opposition to the City's Motion for Summary Judgment in Manhattan 46 is annexed hereto as Exhibit "E."

8. A true and accurate copy of the April 23, 2007 Decision and Order in Manhattan 46 is annexed hereto as Exhibit "F."

9. A true and accurate copy of the City's reply in Manhattan 46 is annexed hereto as Exhibit "G."

10. A true and accurate copy of the signed Proposed Judgment of Foreclosure in Manhattan 46 is annexed hereto as Exhibit "H."

11. A true and accurate copy HDFC's motion to reargue in Manhattan 46 is annexed hereto as Exhibit "I."

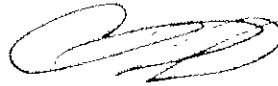
12. A true and accurate copy City's opposition to HDFC's motion to reargue in Manhattan 46 is annexed hereto as Exhibit "J."

13. A true and accurate copy of HDFC's reply affirmation in Manhattan 46 is annexed hereto as Exhibit "K."

14. A true and accurate copy of the June 11, 2007 Decision in Manhattan 46 is annexed hereto as Exhibit "L."

15. A true and accurate copy of the Deed for 477 West 142nd Street, New York, New York is annexed hereto as Exhibit "N."

Dated: New York, New York
June 26, 2007



CHRISTINA L. HOGGAN (CH 6877)

07 CV 3951

| | |
|--|--------------|
| UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK | |
| DR. DELOIS BLAKELY, BISHOP SHIRLEY PITTS, MS. MARGARET CALLENDER | |
| Plaintiff(s) | |
| Vs. | |
| NEW YORK CITY CORPORATION COUNSEL, MICHAEL A. CORDOZO; NEW YORK CITY CORPORATION ASSISTANT COUNSEL, LESLIE SPITALNICK; 100 CHURCH STREET, NY, NY 10007; MARTHA E. STARK, NY CITY COMMISSIONER OF FINANCE, 66 JOHN STREET, 3 RD FLOOR, NEW YORK, NY 10038; SHAUN DONOVAN, NY CITY HPD COMMISSIONER THE CITY OF NEW YORK DEPARTMENT OF HOUSING PRESERVATION & DEVELOPMENT HPD, 100 GOLD STREET, ROOM 1R, NEW YORK, NY 10038; MYRIAM ELLIS, IN HER OFFICIAL CAPACITY AS HPD REPRESENTATIVE, 100 GOLD STREET, ROOM 1R, NEW YORK, NY 10038; MARK MATTHEW, 100 GOLD STREET, ROOM 1R, NEW YORK, NY 10038 | |
| | Defendant(s) |
| DEFENDANTS' DECLARATION | |
| MICHAEL A. CARDOZO <i>Corporation Counsel of the City of New York</i> <i>Attorney for Defendants</i> <i>100 Church Street</i> <i>New York, N.Y. 10007</i> <i>Of Counsel: Christina L. Hoggan</i> <i>Tel: (212) 788-0461</i> <i>NYCLIS No.</i> | |
| Due and timely service is hereby admitted. | |
| New York, N.Y. | 200 . . . |
| Esq. | |
| Attorney for . . . | |